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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MICHAEL R. MARCUS and VICTORIA L.  
MARCUS,

Plaintiffs,

vs.

AIR & LIQUID SYSTEMS CORPORATION,  
*et al.*,

Defendants.

Case No.: 4:22-cv-09058-HSG

[Alameda County Superior Court Case No.:  
22CV021840]

**STIPULATION OF DISMISSAL  
WITHOUT PREJUDICE: FMC  
CORPORATION; ORDER (as modified)**

Courtroom: 02, 4<sup>th</sup> Floor

District Judge: Hon. Haywood S. Gilliam Jr.

Filed in State Court: November 15, 2022

Removed to NDCA: December 21, 2022

Trial Date: September 9, 2024.

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that, pursuant to Federal Rule of Civil Procedure Section  
3 41(a)(1)(A)(i)(ii), Plaintiffs Michael R. Marcus and Victoria L. Marcus (“Plaintiffs”) and  
4 Defendant FMC Corporation, individually and as successor in interest to Northern Pump  
5 Company, Peerless Pump Company, and Stearns Electric Company, only, (“Defendant”) hereby  
6 stipulates as follows:

7 1. On November 15, 2022, Plaintiffs filed their Complaint for Personal Injury and Loss  
8 of Consortium – Asbestos in the Superior Court of the State of California, Couty of Alameda  
9 Case No. 22CV021840.

10 2. On December 21, 2022, the above action was removed to the United States District  
11 Court, Northern District of California, Case No. 4:22-09058.

12 4. On August 9, 2024, Plaintiffs and Defendant reached an agreement of all claims in  
13 this action.

14 Based on the foregoing facts, Plaintiffs and Defendant stipulate and agree to the  
15 following:

16 This Court should dismiss this Action in its entirety against FMC Corporation,  
17 individually and as successor in interest to Northern Pump Company, Peerless Pump Company,  
18 and Stearns Electric Company, only, without prejudice. Each party to bear its own fees and cost.

19 DATED: August 9, 2024

Maune Raichle Hartley French & Mudd LLC

20 By: 

Rabiah N. Oral

Attorney for Plaintiffs

22 DATED: August 9, 2024

POND NORTH LLP

24 By: 

James M. Buck

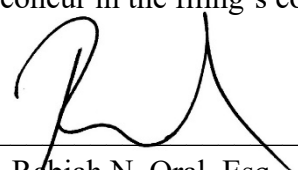
Attorney for FMC Corporation,  
individually and as successor in interest to  
Northern Pump Company, Peerless Pump  
Company, and Stearns Electric Company

**LOCAL RULE 5-1(i)(3) SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS**

In accordance with L.R5-1(i)(3), I, Rabiah N. Oral, attest that all signatories identified above, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

DATED: August 9, 2024

By: \_\_\_\_\_

  
Rabiah N. Oral, Esq.  
Attorney for Plaintiffs

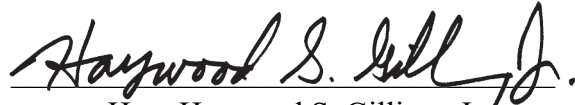
**ORDER**

Having read and considered the foregoing stipulation of parties, and good cause appearing:

PURSUANT TO STIPULATION, IT IS SO ORDERED that FMC Corporation Inc., individually and as successor in interest to Northern Pump Company, Peerless Pump Company, and Stearns Electric Company, only, is dismissed without prejudice from this Action in its entirety.

IT IS SO ORDER.

DATED: 8/12/2024



Hon. Haywood S. Gilliam, Jr.  
UNITED STATES DISTRICT COURT JUDGE